

ORIGINAL FILED

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents Washington, D.C. 20231 on this 23rd day of August 2002.



(Signature of person mailing)

A. David Joran

(Typed or printed name of person)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ronald J. Ogilvie

Examiner: Not Yet Assigned

SERIAL NO.: 10/054,727

Group Art Unit: 1614

FILING DATE: Nov 13, 2001

TITLE: NEW PROCESS

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

## RESPONSE TO NOTICE TO FILE MISSING PARTS

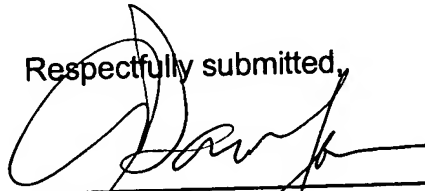
This Response is submitted in response to a Notice to File Missing Parts of the above-noted nonprovisional application. The Notice, a copy of which is enclosed herewith, was mailed on June 26, 2002, with a period of two months for filing a response. Accordingly, this Response is timely.

According to the Notice, the statutory basic filing fee (\$740) and fees for additional claims (\$222) are missing. In addition, the Notice indicates that a fee (\$130) for late filing fee or oath or declaration is also required. Applicant respectfully notes that authorization to charge the required basic filing fee and the fees for additional claims, totalling \$962, to applicant's Deposit Account was made in the initial patent application filed on November 13, 2001. In support of applicant's position, a copy of the Fee Transmittal submitted with the original application papers is attached hereto as an appendix. Accordingly, applicant submits that no surcharge for a late payment of the filing fees is required in the present case.

If a telephone interview is deemed to be helpful to expedite the prosecution of the subject application, the Examiner is invited to contact applicants' undersigned attorney at the telephone number provided.

No additional fee, other than the \$962 filing fees which were authorized in the original application papers but were not actually charged, is believed to be necessary in connection with this Response. Authorization is hereby provided to charge the amount of any additional fee(s) required, or to credit any overpayment, to Deposit Account No. 16-1445.

Respectfully submitted,

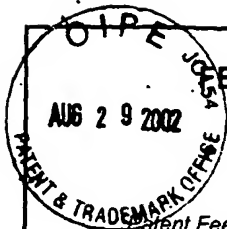


A. David Joran  
Attorney for Applicant(s)  
Reg. No. 37,858

COPY OF PAPER  
ORIGINALLY FILED

Date: August 23, 2002

Pfizer, Inc  
Patent Department, 5th Floor  
150 East 42nd Street  
New York, NY 10017-5755  
(212) 573-3381



# **FREE TRANSMITTAL** **For FY 2001**

Patent Fees are subject to annual Revision

Total Amount of Payment (\$)**962.00**

## **Complete if Known**

Application Number Not Yet Assigned  
Filing Date Concurr ntly Herewith  
First Named Inventor R nald James Ogilvi  
Examiner Name Not Yet Assigned  
Group/Art Unit Not Yet Assigned  
Attorney Docket No. PCS10946A

## **METHOD OF PAYMENT**

1. ☒ The commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

16-1445

Deposit Account Name

Pfizer Inc

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.

See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	355	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	filing fee	
SUBTOTAL (1) (\$)					740.00

### **2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from below		Fee Paid
23	-20**=	03	X	18		54.00
Independent Claims		02	X	84	=	168.00
Multiple Dependent					=	222.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee Code	Fee code	Fee code	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	80	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

\*\* or number previously paid, if greater; For Reissues, see above

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description
105	130	205	65	Surcharge - late fee or oath
127	50	227	25	Surcharge-late filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for ex parte reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355	Request for Continued Examination(RCE)
169	900	169	900	Request for expedited examination of a design application

Other (specify)

\*Reduced by Basic Filing Fee Paid

Subtotal (3)

## **SUBMITTED BY**

Complete (if applicable)

Type or Printed Name A. David Joran Registration No. 37,858 Telephone (212) 733-3381  
Signature Date November 13, 2001



AUG 28 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

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AB

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/054,727	11/13/2001	Ronald James Ogilvie	PC10946A

23913  
PFIZER INC  
150 EAST 42ND STREET  
5TH FLOOR - STOP 49  
NEW YORK, NY 10017-5612

CONFIRMATION NO. 3580

## FORMALITIES LETTER



\*OC000000008356446\*

Date Mailed: 06/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of \$222 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1092 for a Large Entity

- \$740 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$222

08/30/2002 WARDELRI 00000038 161445  
01 FC:101 740.00 CH  
02 FC:105 130.00 CH  
03 FC:102 168.00 CH  
04 FC:103 54.00 CH

- \$54 for 3 total claims over 20.
- \$168 for 2 independent claims over 3.

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE